

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ARKETHA MUNIR,

Plaintiff,

v.

BANK OF AMERICA , N.A., ET AL.,

Defendants.

Case No. 14-cv-05073-YGR

**ORDER CONTINUING HEARING; REQUIRING
SUPPLEMENTAL BRIEFING**

The Court is in receipt of the parties' requests for telephonic appearance. (Dkt. Nos. 27 and 28.) The May 5, 2015 hearing on the pending motions to dismiss (Dkt. Nos. 17 and 23) is hereby **CONTINUED to May 12, 2015 at 2 p.m.** Thus, the requests for telephonic appearance are **DENIED** as moot. However, to the extent oral argument is necessary, telephonic appearances will *not* be permitted. Counsel shall plan accordingly.

In the reply brief filed by defendants Nationstar Mortgage LLC ("Nationstar"), Mortgage Electronic Registration Systems, Inc. ("MERS"), *et al.*, those defendants claim the plaintiff concedes (by failing to oppose in its response) that the First Amended Complaint contains no claims against Nationstar or MERS upon which relief may be granted, and that therefore those defendants should be dismissed from this action with prejudice. (Dkt. No. 26 at 4.) By Tuesday, **May 5, 2015 at noon**, the plaintiff shall file a response to this contention, either conceding the point or addressing it in no more than two (2) pages.

Also by **May 5, 2015 at noon**, the defendants identified in the plaintiff's notice of voluntary dismissal (Dkt. No. 29) shall file a statement indicating whether they oppose their dismissal from this case without prejudice. If they fail to file a statement by the deadline, voluntary dismissal without prejudice will be granted and their pending motion denied as moot.

This Order terminates Docket Numbers 27 and 28.

IT IS SO ORDERED.

Dated: April 30, 2015



**YVONNE GONZALEZ ROGERS
UNITED STATES DISTRICT COURT JUDGE**